

1 **WHEREAS**, ioneer represents the only activities that will be conducted by ioneer during
2 the next 35 days will be continued work on two water bores that are already in place.¹ During
3 the course of conducting these activities, ioneer will continue to comply with the existing
4 requirements of the Notices NVN-097202, and NVN-097262 and any applicable statutes and
5 regulations.
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7 **WHEREAS**, the Center represents that it will not file a motion for a temporary
8 restraining order during the next 35 days.
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10 **WHEREAS**, the Center represents that it will not oppose a motion to intervene in this
11 case by ioneer.
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13 **THEREFORE**, the Parties agree and stipulate:

- 14 1. The Center will file its motion for a preliminary injunction, and all supporting
15 materials, on or before November 5, 2019.
- 16 2. The BLM and ioneer (if granted intervention) will file their responses to the Center's
17 motion for a preliminary injunction on or before November 19, 2019.
- 18 3. The Center will file its reply brief on or before November 26, 2019.
- 19 4. The Parties respectfully request that the Court set an argument date on the Center's
20 motion for a preliminary injunction as early thereafter as possible.
- 21 5. If ioneer decides to proceed with additional ground disturbing activities after the 35-
22 day period but prior to the Court's resolution of the Center's motion for a preliminary
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27 ¹ In agreeing that this activity may proceed for the purpose of this agreement, the Center is not
28 agreeing or admitting that this activity has been lawfully allowed or authorized by BLM, and
BLM and ioneer neither admit nor deny the allegations in Plaintiffs' Complaint for Declaratory
and Injunctive Relief, *see* ECF No. 1.

1 injunction, the Center will likely file a motion for a temporary restraining order at that
2 time.

3 Dated: November 5, 2019.

Respectfully submitted,

4 JEAN E. WILLIAMS
5 Acting Assistant Attorney General

6 /s/ Michelle-Ann C. Williams
7 MICHELLE-ANN C. WILLIAMS
8 Trial Attorney

9 *Counsel for Federal Defendants*

10 /s/ Christopher W. Mixson
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16 *Counsel for Plaintiff*

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18 IT IS SO ORDERED:

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20 UNITED STATES MAGISTRATE JUDGE

21 DATED: November 6, 2019
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